

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

COUNSELORS AT LAW

ONE COMMERCE PLAZA
SUITE 1705
ALBANY, NEW YORK 12260
518-465-5551
FACSIMILE: 518-465-2033

1300 CONNECTICUT AVENUE, N.W.
SUITE 600
WASHINGTON, DC 20036
202-955-6340
FACSIMILE: 202-223-0358

990 STEWART AVENUE, SUITE 300
P.O. BOX 9194
GARDEN CITY, NEW YORK 11530-9194
516-741-6565
FACSIMILE: 516-741-6706
E-MAIL: meyersuozzi@msek.com
WEBSITE: <http://www.msek.com>

1350 BROADWAY, SUITE 501
P.O. BOX 822
NEW YORK, NEW YORK 10018-0026
212-239-4999
FACSIMILE: 212-239-1311

425 BROADHOLLOW ROAD, SUITE 405
P.O. BOX 9064
MELVILLE, NEW YORK 11747-9064
631-249-6565
FACSIMILE: 631-777-6906

ROBERT C. ANGELILLO
DIRECT DIAL: 516-592-5784
E-MAIL: RANGELILLO@MSEK.COM

September 26, 2012

BY ECF FILING

Hon. A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court, E.D.N.Y.
100 Federal Plaza, P.O. Box 9014
Central Islip, New York 11722-9014

Re: *Jalayer et al adv. Stigliano et al,*
EDNY Civ Act No. 10cv2285 (JFB) (AKT)

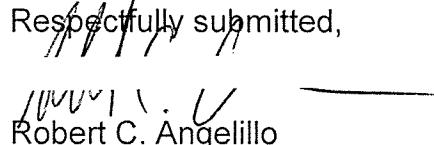
Dear Judge Tomlinson:

It has come to our attention that Gerard Stigliano filed a letter with the Court on September 24, 2012 alleging that this firm had "filed" a "fee dispute" allegedly in violation of the Court's directive during the July 11, 2012 *in camera* hearing on the order to show cause to be relieved as counsel. He is mistaken.

To clarify, this firm has not filed any "fee dispute" or otherwise taken any action against Mrs. Stigliano in this regard at all. Instead, as a courtesy, since, given the amount in issue, no arbitration was mandatory, we simply advised Mrs. Stigliano that she could, as an option, arbitrate our fee dispute pursuant to 22 NYCRR 137 and as provided for in our retainer agreement. This notification is not a legal proceeding and we iterate that, to date, no action or proceeding has been taken by this firm with respect to Mrs. Stigliano's outstanding attorneys' fees.

We thank the Court for its courtesies.

Respectfully submitted,


Robert C. Angelillo

cc: All Counsel of Record (by ECF Filing)
Mr. Gerard Stigliano (by email)
Mrs. Josephine Stigliano (by regular mail)